

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -X
UNITED STATES OF AMERICA : ORDER

-v.- : 10 Cr. 498 (RPP)

ANIBAL COLON, :

Defendant. :

- - - - -X

Upon the application of the United States of America, by and through Preet Bharara, United States Attorney, Timothy T. Howard, of counsel, and with the consent of counsel for the defendant, it is hereby ORDERED that the time from October 15, 2010 through November 23, 2010 is hereby excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A). The Court finds that the granting of such an exclusion best serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial, because it will permit the defendant to proceed with his motion to suppress evidence in this case.

SO ORDERED.


Robert P. Patterson, U.S.D.J.

Dated: New York, New York
October 15, 2010

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 10/15/10

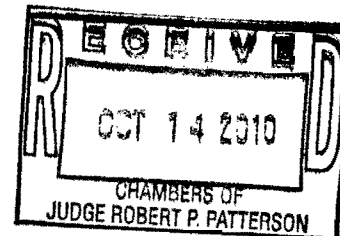


U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

October 14, 2010



BY FAX

Chambers of Hon. Robert P. Patterson
United States District Judge
Southern District of New York
500 Pearl Street, Chambers 1650
New York, NY 10007

RE: United States v. Anibal Colon (10 CR 498)

Dear Judge Patterson,

The Government has received Anibal Colon's Reply Memorandum of Law in Further Support of His Motion to Suppress Evidence, which was filed by ECF on October 13, 2010 ("Reply Memorandum"). In light of the additional factual issues that have been put into dispute in the Reply Memorandum and accompanying Declaration, the Government consents to a hearing.

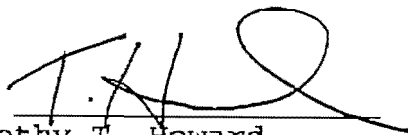
The Parties understand that the Court is available on November 23, 2010, and jointly request that the evidentiary hearing be scheduled for that date. The Parties also jointly consent to canceling the conference scheduled for October 15, 2010 at 4:00 p.m.

Finally, the Government respectfully requests that time be excluded from October 15, 2010 through the hearing date, in order to permit the Government and the defendant to prepare for the hearing on the defendant's motion to suppress. The Government has consulted with John J. Byrnes, Esq., counsel for the defendant, and he consents to the exclusion of time.

A proposed order is enclosed for the Court's consideration.

Respectfully submitted,

PREET BHARARA
United States Attorney
Southern District of New York

By: 
Timothy T. Howard
Assistant United States Attorney
(212) 637-2308

Enclosure
CC: John J. Byrnes, Esq. (by fax)